

**MINUTES OF THE
AUBURN CITY PLANNING COMMISSION MEETING
September 20, 2011**

The regular session of the Auburn City Planning Commission was called to order on September 20, 2011 at 6:00 p.m. by Commissioner Worthington in the Council Chambers, 1225 Lincoln Way, Auburn, California.

COMMISSIONERS PRESENT: Snyder, Spokely, Young, Worthington

COMMISSIONERS ABSENT: Vitas

STAFF PRESENT: Will Wong, Community Development Director
Reg Murray, Senior Planner
Lance Lowe, Associate Planner
Carie Huff, Associate Engineer

I. CALL TO ORDER

Chair Snyder was absent at the start of the hearing. Commissioner Worthington conducted the meeting.

II. PLEDGE OF ALLIGIENCE

III. APPROVAL OF MINUTES

The minutes of May 17, 2011 and July 19, 2011 approved 4-0.

IV. PUBLIC COMMENT

None

V. PUBLIC HEARING ITEMS

- A. VARIANCE – 1522 LINCOLN WAY (HOLDEN PARKING LOT) – FILE VA 11-02.** The applicant requests approval of a Variance in association with proposed improvements to the Holden Office building parking lot at 1522 Lincoln Way. The improvements include reorientation of the parking stalls, striping of the parking lot, addition of curb stops and lighting, and construction of a retaining wall. The Variance is required in order to permit vehicles to back out onto Court Street and to eliminate the provision of a 4' wide landscape planter around the parking lot.

Planner Murray presented the staff report. He reviewed with the Commission the project location, the project site, and the scope of improvements associated with the request. Planner Murray identified existing access to the property, changes to accommodate the proposed parking configuration, new retaining walls and

landscaping, and removal of the existing sidewalk. He summarized the reasons for the proposed variances as well as the justification points in support of the request.

Chair Snyder arrived at the hearing during Planner Murray's presentation.

Commissioner Spokely asked if the existing parking area was striped for six parking spaces.

Planner Murray stated that the area wasn't striped, but that about 4-6 vehicles could be accommodated in the area.

Commissioner Spokely asked what the parking requirement would be based on the existing use of the building.

Planner Murray noted that the building would need a total of 7 parking spaces and that the current proposal included 8 spaces and, therefore, met the City's standard.

Commissioner Worthington asked if the 7 spaces being provided included the handicap space.

Planner Murray stated that the parking plan included 7 standard parking stalls and 1 handicap parking stall.

Commissioner Spokely commented that the block proposed for the retaining wall is not similar to the existing stone wall along the Lincoln Street frontage. He noted some similarities between the block on the nearby courthouse and the proposed block and asked if staff had any discussion with the applicant regarding their proposal for the block material.

Planner Murray stated that there had not been any discussion with the applicant about the proposed block material.

Commissioner Spokely asked if the Fire Chief had any concerns with respect to the proposed parking configuration and traffic on Court Street.

Planner Murray commented that the Fire Chief had reviewed the request, that the Chief noted that the existing situation is an existing, non-compliant, non-conforming situation, but that the proposal does not exacerbate any existing situation and finds the proposal to be satisfactory. Planner Murray noted that the Public Works Department conducted their own review of the proposal and came to the same conclusions as the Fire Chief.

Commissioner Spokely asked if staff knew what the average volume of traffic was on Court Street during normal business hours.

Planner Murray indicated the staff did not have that information readily available.

Commissioner Vitas asked if staff reviewed accident history near the project site.

Planner Murray noted that staff reviewed accident history and did not believe it was a critical issue.

Commissioner Young asked for clarification on the number of parking spaces being constructed for the project.

Planner Murray stated that a total of eight spaces would be provided, including 7 conventional spaces and one handicap space.

Commissioner Young asked if landscaping and sidewalk would be removed to provide the parking.

Planner Murray stated that it would.

Commissioner Young asked if the parking requirement could be waived, noting that this request would eliminate a sidewalk, which is an important feature if the City wants to encourage people to walk in Old Town.

Planner Murray noted that a walking area will still be provided behind the parking stalls, in the same location as the existing sidewalk, so pedestrians will not be forced to walk in the street.

Commissioner Young asked if the retaining wall (materials) would match the wall across the street.

Planner Murray indicated that the project's retaining wall would use a different material from the wall on the County property to the North.

Commissioner Spokely noted that the retaining wall material was kind of similar to the blocks used on the basement level of the County courthouse.

Commissioner Young stated that he believed the project's walls should match the courthouse wall.

Planner Murray commented that the Commission could include a condition of approval that would require a rockery finish to the retaining walls that would be complimentary to the adjacent wall.

Director Wong noted that a considerable amount of site work is needed to provide the proposed parking spaces. He also informed the Commission that he would be providing a report to City Council on the following Monday (September 26th), updating the Council on parking in Old Town and Downtown. He stated that, based on the results of recent parking surveys, Court Street was found to be highly

impacted, so it is not surprising that the applicant is looking to add parking spaces. Director Wong added that parking was at a premium in Old Town and suggested that the Commission not reduce the number proposed by the applicant if they were thinking of doing so.

Planner Murray added that the applicant is choosing to construct the new parking lot, it is not a requirement of the development.

Commissioner Spokely asked if there was any consideration by the applicant to make his parking available to the public during non-business hours.

Planner Murray noted that the City does not have a requirement for businesses to make their parking available to the public.

Director Wong commented that the Old Town/Downtown parking study does identify the joint use of private parking lots as a parking management option, but that existing circumstances don't meet the criteria for such a program.

Commissioner Worthington indicated her interest in further discussion with the applicant about the materials for the retaining wall and asked if staff had considered the elimination of the on-street parking on Court Street.

Planner Murray commented that both the Fire and Public Works Departments had reviewed the circulation on Court Street with the proposed parking plan and determined that there would not be a need to remove any on-street parking.

Commissioner Worthington observed that a magnolia tree is proposed for a planter area that will be too small to accommodate it and also questioned the use of flexible edge treatment instead of curbs. She also questioned if the walking area replacing the sidewalk would be striped similar to a handicap loading area.

Planner Murray indicated that the walking area would not need to be striped as it would still look like a sidewalk.

Commissioner Worthington opened the public hearing and asked the applicant to address the Commission.

The applicant's engineer, Ed Giuliani of Giuliani & Kull, came to the podium to address questions from the Commission.

Commissioner Spokely expressed concerns about the proposed parking area. He noted that the ramps are at maximum slope, railings project into the ramp, the loading area is in an area with slopes greater than 2%. Based on these issues, it appears that the parking area will need to get bigger to address likely changes, which would alter the proposed plans.

Mr. Giuliani responded that all of the specific details had not been worked out, but would be with the construction plans.

Commissioner Spokely questioned whether the details had been looked at close enough to make sure that the eight proposed stalls could actually be provided. He also noted that a retaining wall would be required between the handicap parking space and the access ramp.

Mr. Giuliani noted that an extended curb would be provided, so a retaining wall would not be necessary.

Commissioner Spokely expressed his intent to understand the context of the design and the space available to provide the project, noting that the site might only be able to serve seven spaces due to space limitations and design requirements.

Commissioner Worthington asked what the fixed design element would be?

Commissioner Spokely noted that different features could change, but asked Mr. Giuliani whether the main retaining wall would not get any closer to the existing retaining wall on Lincoln Way.

Mr. Giuliani responded that the intent is to keep the proposed retaining wall in the location shown on the plans, and added that the applicant's intent is to provide the eight parking spaces, as with anything less than that, the project is not viable due to cost considerations.

Chair Snyder suggested that the Commission identify the parameters that should remain fixed and those that could be adjusted.

Commissioner Spokely concurred with Chair Snyder's recommendation, and suggested that the Commission set a minimum setback between the existing and proposed retaining walls on Lincoln Way.

Chair Snyder asked what that minimum setback should be between the walls?

Commissioner Spokely identified a minimum setback of 8', but preferred a 10' setback.

Chair Snyder suggested that the Commission add a condition requiring an 8' setback and let staff work out the remaining details with the applicant's engineer.

Planner Murray asked for clarification that the 8' setback would be measured from the existing perimeter wall perpendicular back the proposed wall.

Chair Snyder clarified that the measurement would be to the outer edge of the wall and asked if that was acceptable to Mr. Giuliani.

Mr. Giuliani responded that it would be acceptable.

Commissioner Worthington clarified that the perpendicular measurement would be to the closest point.

Commissioner Spokely requested that staff confirm the design and angle of the proposed parking spaces to insure that clearance is provided for the pedestrian path.

Mr. Giuliani identified the dimensions of the parking stalls and noted that adequate space is provided.

Director Wong commented that the dimensions were consistent with City standards.

Commissioner Spokely asked Mr. Giuliani to address the stone that was selected for the wall.

Mr. Giuliani indicated that the owner, Steve Holden, would respond to the selection of the stone, as well as the private vs. public use of parking in off hours.

Commissioner Worthington stated that the City doesn't have a policy on the issue of the off hours parking, so the Commission has not intent to pursue that issue.

Mr. Giuliani clarified the design of the pedestrian path that replaces the existing sidewalk.

Commissioner Young asked if signage could be erected to make it easier for people to identify the pathway?

Mr. Giuliani stated that the situation will be no different functionally than other areas and that signs shouldn't be necessary.

Chair Snyder observed that people using the Old Town parking lot would assume that vehicles there could come and go at any time, and this situation would be no different.

Commissioner Worthington asked Mr. Giuliani to address where concrete curbs would be used.

Mr. Giuliani directed the Commission to the civil plans, which show concrete curbs around the landscaping adjacent to the sidewalk.

Commissioner Worthington asked for confirmation that curbing would be provided around the two landscaping islands.

Mr. Giuliani indicated that curbing would be provided.

Chair Snyder asked what is intended for the slope between the existing retaining wall up to the proposed car stops.

Mr. Giuliani indicated that landscaping would be provided, and that low shrubs would likely be used in the area.

Commissioner Worthington asked that this area be clearly identified as a planting area, and asked the applicant to address the use of a magnolia tree shown on the landscape plans.

The owner, Steve Holden, addressed the Commission's questions. In regards to the retaining wall materials, his preference would be to match the wall on the courthouse, but that is cost prohibitive. The block that was picked was intended to look similar to the courthouse block, but smaller size. Optionally, he could amend the landscape plan to screen the wall with ivy.

Commissioner Worthington noted that the intent is not to burden a project with a requirement to match design details from the 1800's, and encouraged the applicant to use complimentary materials.

Mr. Holden expressed his desire to be as consistent as possible and that his selection was the best of the options available to him at the time.

Commissioner Worthington suggested that he look a little more.

Mr. Holden asked for clarification as to which wall he should try to match, the wall on Lincoln Way or the courthouse wall?

Commissioner Snyder stated that he liked the choice selected by the applicant, but if he were to make a selection, it would be to match the courthouse block.

Commissioner Worthington noted that would match the background, not the foreground wall.

Planner Murray commented that the onsite landscaping will help screen the proposed retaining wall, so it will not be exposed like the existing courthouse wall situated at the back of sidewalk.

Commissioner Worthington concurred.

Chair Snyder asked how tall the proposed wall would be.

Commissioner Spokely noted that the proposed wall will be five feet tall, which would be about a foot and a half taller than the existing wall on Lincoln Way.

Mr. Holden commented that the wall on Lincoln Way was about five feet tall.

Commissioner Worthington asked if staff was clear about the Commission's direction.

Planner Murray stated that staff found the color of the retaining wall to be complementary with the courthouse retaining wall, and along with the addition of the landscaping screening the wall, that staff found the proposed wall to be acceptable.

Commissioner Worthington observed that the proposed wall has the color of the existing courthouse retaining wall on Court Street and the texture of the blocks on the courthouse.

Chair Snyder noted that the wall color would be the most prominent feature to address and that the Commission should give direction to staff.

Commissioner Worthington commented that the proposed wall should not match the existing retaining wall on Lincoln Way.

Commissioner Vitas observed that the proposed landscaping would make a big difference.

Commissioner Spokely stated that he agreed with staff's opinion in that the proposed wall does mimic walls in the line of sight and that the applicant's selection does work.

Commissioner Worthington expressed to the applicant that a materials board with a sample of the proposed wall material would have been helpful.

Planner Murray commented that the primary areas of interest for the Commission's consideration are the variance issues, not the design of the wall.

Chair Snyder stated that the Commission should stick to the variance issues.

Planner Murray noted that the parking lot design would not have been reviewed by the Commissioner if it were not for the variance issues.

Commissioner Worthington asked Mr. Holden if he understood the Commission's collective aesthetic direction for the wall.

Mr. Holden stated his interest in doing something that everyone feels good about.

Chair Snyder indicated that he was comfortable with the project.

Commissioner Worthington stated that she was as well. Her hope is that the final grading plan would address Commissioner Spokely's concerns regarding the handicap ramp slopes, as well as the retaining wall being no closer than 8' to the front of the existing retaining wall.

Commissioner Young indicated that his concerns have been addressed.

Mr. Holden indicated he would be willing to consider reciprocal parking for the public if that becomes the City's policy, provided that liability issues are adequately addressed.

Commissioner Worthington asked if Mr. Holden would be part of the Old Town Business association.

Mr. Holden addressed questions about the landscape plan, noting that the landscape architect selected plants that were consistent with the era of the building, not a modern palette.

Commissioner Worthington noted that her concern was with the placement of the magnolia tree. The magnolia tree will be too large for the area in which is being planted.

Commissioner Worthington closed the public hearing.

Chair Snyder stated that with a compromise in a sensitive way he would be able to support the request without any additions other than the 8' setback line.

Commissioner Spokely asked for clarification to stipulate that the 8' measurement would be from back of existing wall to face of new wall.

Commissioner Vitas stated liked what was being done.

Chair Snyder **MOVED** to adopt Resolution 11-08, as amended with the 8' setback between retaining walls, measured from back of existing wall to face of new wall.

Commissioner Vitas **SECONDED** the motion.

AYES:	Spokely, Vitas, Worthington, Young, Snyder
NOES:	None
ABSTAIN:	None
ABSENT:	None

The motion was **APPROVED**.

Commissioner Vitas left the Planning Commission meeting.

B. DESIGN REVIEW & TREE PERMIT – 185 KENMASS AVENUE (AUTUMN GARDENS RESIDENTIAL CARE FACILITY FOR THE ELDERLY) – FILES DRP 11-1 & TP 11-2. The applicant requests Design Review and a Tree Permit for the construction of a 14 bed, ±5,364 square foot Residential Care Facility for the elderly with associated parking and landscaping facilities. A Tree Permit is required for the removal of ±ten native trees.

Planner Lowe presented the staff report. He reviewed with the Commission the project location, the project site, and the scope of improvements associated with the request.

Commission Worthington asked about the approved subdivision map that was approved in 2004.

Planner Lowe replied that the map was approved in 2004 and has been extended two times with State legislation; however, there has been no interest in pursuing the map by the applicant and none of the conditions of the map have been met.

Commissioner Worthington noted that the layout of the building reflects the determination that Kenmass is the front yard. Commissioner Worthington asked why is Kenmass the front yard?

Planner Lowe replied that on corner lots, the short street frontage is the front yard irrespective of the building layout.

Commissioner Spokely asked if staff had received any correspondence regarding the project.

Planner Lowe replied that he had received a call from a neighbor this afternoon. The neighbor indicated that she lived on Kenmass and was in favor of the project.

Commissioner Spokely asked if there were any issues with the sewer capacity for this project.

Engineer Huff replied that the applicant has televised the sewer line and evidence of root impacts to the sewer line was witnessed. Therefore, the line will be replaced. Sewer capacity is available for the property Engineer Huff noted.

Commissioner Young asked about the accessible parking for the property.

Planner Lowe replied that the comment related to accessible parking and that due to the topography, accessible parking has not been provided since the accessible parking slope standards could not be achieved.

Planner Lowe noted that temporary parking to drop off and pick up clients is available along Pine Street.

Commissioner Young asked how far the building was from the front door.

Planner Lowe replied that the building is set back from the street 10 feet.

Commissioner Young asked if the fire department has any issue regarding evacuation of the building.

Planner Lowe replied that the fire department had no concerns regarding the project. The project will be constructed to meet the City's and State's building and fire standards.

Director Wong noted that the project will be required to be approved by the State as well as the City.

Commissioner Snyder noted that permitting processes are already in place for any fire, life, & safety concerns that the Planning Commission may have.

Commissioner Worthington opened the public hearing.

The applicant, Frank Prach of 968 Lincoln Way addressed the Commission.

Frank Prach discussed the project and noted that they are in full compliance with American with Disabilities Act (ADA). Mr. Prach noted that the clients of the residence do not drive so parking will not be an issue.

Mr. Prach noted that he has had numerous meetings with the fire department.

Mr. Prach noted that residential care facilities are thoroughly regulated by the State.

Paul Black of 180 Pine Street addressed the Commission. Mr. Black noted that homeless people often frequent the property and he is happy to see to the property developed.

Mr. Black noted that he would like to make sure that adequate parking exists for the site.

Commissioner Worthington noted that seven parking spaces are required for the site.

Director Wong noted that this is probably the least intensive use that could be proposed for the site.

Paul Breckenridge of 188 Parkside Terrace addressed the Commission.

Mr. Breckenridge had comments relating to accessible parking and the architecture.

Mr. Breckenridge noted that the ADA parking should be installed on site, particularly for the visitors of family members.

Mr. Breckenridge also noted that the architecture of the residential care facility is not consistent with the architecture in the neighborhood and would like to see more architectural detail.

Mr. Breckenridge also asked if an architect designed the project.

Commissioner Worthington closed the public hearing.

Mr. Prach noted that a structural engineer stamped the construction plans and Mr. Prach indicated that he is a certified designer who has designed a number of these facilities.

Commissioner Worthington asked if it was possible to have an ADA parking space on site.

Mr. Prach replied that the slope of the site does not allow for a compliant ADA parking space.

Director Wong noted that the Building Official has looked at the ADA issue.

Commissioner Spokely noted that the site is very steep and any liability issues associated with ADA compliance will be the responsibility of the applicant.

Commissioner Spokey also noted that the public sidewalk will be on private property and wanted to make sure that an easement is reserved for access.

Planner Lowe noted that the City abandoned the City right of way and the owner will complete a lot merger to merge the vacated property and his property.

Commissioner Spokely asked if the applicant had any issue with granting a pedestrian easement across the sidewalk.

Mr. Prach noted that he has no objections with dedicating a pedestrian easement.

With respect to architecture, Commissioner Worthington noted that the property is not within the Downtown Historic Design Review District.

Director Wong noted that Spanish architecture styles do exist in the City of Auburn and reiterated that the project is not in the Historic District.

Commissioner Snyder noted that developing this site is difficult and the site is not located in the middle of Pine Street where Victorian architecture exists.

Commissioner Snyder noted that he is certain that he could find Spanish architectural styles in the neighborhood.

Commissioner Spokely noted that this site is in a transitional area where different architectural styles exist.

Commissioner Snyder **MOVED** to approve Resolution 11-12, as amended to include a pedestrian easement and painted loading zone.

Commissioner Spokely **SECONDED** the motion.

AYES:	Spokely, Worthington, Young, Snyder
NOES:	None
ABSTAIN:	None
ABSENT:	Vitas

The motion was **APPROVED**.

VI. COMMUNITY DEVELOPMENT DEPARTMENT FOLLOW-UP REPORTS

A. City Council Meetings

Staff will provide recommendations to City Council regarding parking management in Old Town and Downtown at the Council hearing on Monday, September 26, 2011.

B. Future Planning Commission Meetings

Staff will confirm the next Commission hearing date via email.

C. Reports

None

VII. PLANNING COMMISSION REPORTS

The purpose of these reports is to provide a forum for Planning Commissioners to bring forth their own ideas to the Commission. No decisions are to be made on these issues. If a Commissioner would like formal action on any of these discussed items, it will be placed on a future Commission agenda.

None

VIII. FUTURE PLANNING COMMISSION AGENDA ITEMS

Planning Commissioners will discuss and agree on items and/or projects to be placed on future Commission agendas for the purpose of updating the Commission on the progress of items and/or projects.

None

IX. ADJOURNMENT

The meeting adjourned at 8:06 p.m.

Respectfully submitted,

Reg Murray and Lance Lowe